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November 22, 1949

DISCUSSION ON THE ESTABLISHMENT OF AN AMERICAN CONSULATE IN KUWAIT

Mr. Wright said that the United Kingdom was awaiting a reply from the United States Government on the question which the United Kingdom had raised several months ago regarding the establishment of a consulate in Kuwait.

Mr. Clark described briefly the background of this question and said that one of the main points was the British concern regarding the political effects which the establishment of the Consulate might have in Kuwait. Mr. Clark said that the Department wished to raise the question whether the establishment of the Consulate would necessarily alter the situation and result in serious political repercussions.

Mr. Wright said that while he repeated that the United Kingdom understood the needs of the United States Government it did not in fact see how it would be possible to avoid the appointment of consular representatives from a number of other countries if United States consular officers were appointed.

Mr. Clark observed that the United States had greater interests in Kuwait than other countries in view of the number of American citizens connected with American oil companies operating in Kuwait. He indicated that there were certain legal questions involved and that the Foreign Office had requested the United States Government to consider the following three points:

1. That the exequatur be issued by the United Kingdom;
2. That the United States should respect the jurisdictional responsibility of the British political Resident; and
3. That the United States should recognize provisions of existing concessions agreements regarding political matters.

Mr. Clark felt that there would be no difficulty on the last two points, although the United States would probably wish to include observations of a minor nature in its reply. However, the question of exequatur was a most complicated one. It had occurred to the United States that it might be possible to have the exequatur signed both by the Sheik and by the United Kingdom Government. In other words the exequatur would represent not only the authority flowing from the Sheik himself but also would take into account the special relationship between the United Kingdom and the Sheik under the 1899 Treaty. There was also a discussion on the legal necessity for having an

exequatur.

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... Wright said that he would look into the matter of a double signature upon his return to London. Mr. Clark said that he believed the Department's reply to the points raised by the Foreign Office would be forthcoming soon.

Approved by Mr. Hare and Mr. Wright

November 25, 1949.